

REMARKS

The Office examined claims 1-23 and rejected claims 1-23. With this paper, various of the claims are amended, claim 3 is canceled, claim 24 is added, and claim 21 is made to depend from new claim 24, so that the application now includes claims 1-2 and 4-24, the number of independent claims and total number of claims remaining the same.

Rejections under 35 USC §102

At paragraph 5 of the Office action, claims 21 and 23 are rejected under 35 USC §102 as being anticipated by U.S. Pat. No. 6,044,248 to Mochizuki et al.

Claim 21--and also independent claims 1 and 11--are changed to make more clear that the invention is distinguished over the prior art in that ordering information is included in each of a plurality of messages so as to allow the receiving terminal to order the messages that in combination make up a single unified message (called a funny in the application, the funny comprising two or more frames, each of which is conveyed by one or more messages with the ordering information, as explained in the specification at e.g. page 12, line 10). Applicant respectfully submits that Mochizuki et al. fails to teach such a limitation.

Instead, Mochizuki et al. teaches a system for sending and receiving a graphic image and text based on a code for the graphic image, the code indicating the actual graphic image, which is pre-stored on the receiving device. (See col. 4, ll. 36-47, and see also col. 4, ll. 62-67.) Nowhere does Mochizuki et al. ever indicate communicating a plurality of messages bearing information for ordering the messages in a desired order.

Claim 23 depends from claim 21.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 be reconsidered and withdrawn.

Rejections under 35 USC §103

At paragraph 4 of the Office action, claims 1-3, 5-9, 11-13, 15-19 are rejected under 35 USC §103 as being unpatentable over Sivula (EP 1 091 601 A2) in view of Mochizuki et al.

As explained above, nowhere does Mochizuki et al. ever teach communicating a plurality of messages bearing information for ordering the messages in a desired order, as claimed in both amended claims 1 and 11, from which all of the claims rejected under section 103 depend.

Also, Sivula nowhere teaches or suggests communicating a plurality of messages bearing information for ordering the messages in a desired order. The Examiner refers to col. 7, lines 10-34, for a teaching of "assembling a plurality of frames ... in a desired order," but the text there describes a special application program "giving [a mobile terminal] the ability to form special content *messages* that include both text and images," [emphasis added], i.e. messages each of which includes an image and text--i.e. a single frame, but not messages some of which include several images and text, i.e. several frames, which would have to be arranged in some order, which Sivula never teaches or suggests (at the cited location or elsewhere).

Accordingly, applicant respectfully requests that the rejections under 35 USC §103 of all claims remaining in the application be reconsidered and withdrawn.

New claim

New claim 24 is believed patentable over the cited art for the same reasons as given in arguing the patentability of amended claims 1, 11, and 21.

Conclusion

For all the foregoing reasons it is believed that all of the claims now in the application are in condition for allowance and their passage to issue is earnestly solicited.

Feb. 23, 2004

Date

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